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Second session
22 February-4 March 1994
Agenda item 10

ADOPTION OF THE REPORT OF THE COMMITTEE ON ITS SECOND SESSION

Draft report

Addendum

Rapporteur: Mr. Patrick M. CHIPUNGU

Chapter ____

(Agenda item 5)

REVIEW OF PROGRESS ON WATER-RELATED ISSUES: (a) REVIEW OF PROGRESS, CONSTRAINTS AND LIMITATIONS IN THE IMPLEMENTATION OF WATER-RELATED ISSUES (INCLUDING INPUTS FROM SPECIALIZED AGENCIES AND THE REGIONAL COMMISSIONS); (b) CONSIDERATION OF NEW INSTRUMENTS FOR GLOBAL ACTION

1. The Committee considered item 5 (a) of its agenda at the 1st meeting of its Working Group on Water Resources on 25 February 1994. It had before it the report of the Secretary-General on water resources: progress in the implementation of the Mar del Plata Action Plan and of Agenda 21 on water-related issues (E/C.7/1994/4). A representative of the Department for Policy Coordination and Sustainable Development introduced the report, which provided an overview of the interrelations between population, land and water resources. He noted that, whereas there had been a growing understanding of the finite and vulnerable nature of water resources and of the need for holistic approaches to land and water management, there was every reason to be concerned about the long-term sustainability of water resources development world wide. The question facing the Committee was whether, given the current state of affairs, the world was headed towards a water crisis of global proportions and what steps would need to be taken if such a crisis were to be averted.

The Committee identified the need to manage the resource at the lowest appropriate level, in accordance with the approaches taken at the International Conference on Water and the Environment (Dublin, 1992) and the United Nations Conference on Environment and Development (Rio de Janeiro, 1992). The Committee was also of the opinion that if significant long-term progress were to be achieved, Governments and the international community needed to attach priority attention to the establishment of dynamic, interactive, iterative and multisectoral approaches to water resources management, as an essential precondition to the implementation of all other recommendations contained in chapter 18 of Agenda 21, 1/ and to the implementation of diagnostic assessments of their current institutional arrangements and human resources capacity, with a view to formulating strategies for the future.

2. The Committee commended the quality of the report prepared by the Secretariat and expressed its view that certain areas could be expanded to define more accurately the nature of the global water crisis.

3. Most experts agreed that an update on the current report would be needed for the third session of the Committee, possibly to be entitled "Twenty years after Mar del Plata". The importance of strategies for integrated water resources management and linkages between water and land issues were stressed. The report could be strengthened by requesting the regional commissions to prepare regional summaries and specific countries to prepare case-studies of successful strategies. Integrated approaches to water resources management should address ways to reduce institutional fragmentation and should not be limited to drinking water supply and sanitation. It was also suggested that the report might include a section from ECE on current developments in water-related issues in the transitional economies of Central and Eastern Europe.

4. The representative of ECE said that its Committee on Water Problems had recently completed a draft report which covered the water management situation in Europe's transitional economies. The report would be forwarded to the Secretariat, to be included in the update of the current document.

5. Several experts expressed the view that overextraction and pollution of groundwater were serious problems and that groundwater protection needed to be emphasized. Legislation and enforcement, combined with user participation, were required if groundwater were to be managed and protected effectively.

6. Another area that needed attention was the reclamation of irrigation areas rather than the opening up of new irrigation schemes. Planning had to balance the needs for agricultural and non-agricultural land use and alternative ways to raise agricultural production and irrigation efficiency. Water resources schemes of various sizes were needed to take into account environmental concerns and watershed management. The related problems of waterlogging and salinization of irrigated lands would have to be addressed. One expert emphasized the linkage between water and land use and proposed that attention be directed to the Commission on Sustainable Development's consideration of chapter 10 of Agenda 21 in that regard.

7. Several delegates stressed that prior assessment of resources was necessary before proper planning and management would be possible. Proper monitoring and

follow-up would be required. One expert noted that massive financial support from external agencies would be required for such assessments.

8. A number of experts endorsed the final paragraph (para. 79) of the report and felt that its contents should be conveyed to the Economic and Social Council. They stressed the need for a multisectoral approach and for diagnostic assessment of the current institutional arrangements and human resources capacity at the national level as a basis for formulating strategies for the future.

9. Unless there were serious attempts to alleviate poverty, discussions of environmental degradation would be idle. It would be necessary to create mass awareness at the national and international levels of the water crisis and to take corrective action as a demonstration of the seriousness of the situation.

10. In considering agenda item 5 (b), at the 1st meeting of the Working Group on Water Resources on 25 February 1994, the Committee had before it the report of the Secretary-General on international instruments for global action (E/C.7/1994/5). The report was introduced by a representative of the Department for Development Support and Management Services, who provided an overview of the principal international instruments focusing on the relationship between water and the environment. She placed emphasis on some of the principles emanating from the Conference on Water and the Environment and on Agenda 21.

11. Several experts emphasized the importance of raising the level of international attention and action on the global water crisis through the establishment of some kind of legal instrument which might impart greater status to water issues. Discussions were held on what that might entail - i.e., a code of conduct, a water law, a framework convention, or a declaration of principles. It was generally believed that it would be more difficult to obtain agreement on a convention, which would be legally binding.

12. One expert felt that the focus for such an instrument should be integrated water management and the need for greater balance in water use.

13. Another expert stressed the need for a framework convention on the water cycle, focusing on linkages between water resources and land use, and the need to protect water resources from pollution.

14. The representative of ECE described in detail conventions established under ECE auspices, affirming that they had had a strong impact on the level of public awareness and on capacity-building, particularly for the economies in transition, which must establish new laws and infrastructures to strengthen water management. One expert suggested that the success of the ECE conventions might be related to the relatively high level of awareness in Europe of water issues.

15. The Committee encouraged ECE to provide information that could be incorporated into the report discussed in paragraph 3.

16. It was proposed by one expert that the Commission on Sustainable Development be requested to set up a task force to explore various options. It

was confirmed that the Committee would be able to convey recommendations to the Commission on Sustainable Development in time for its session of May-June 1994.

Notes

1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution II, annex II.

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ADOPTION OF THE REPORT OF THE COMMITTEE ON ITS SECOND SESSION

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Addendum

Rapporteur: Mr. Patrick M. CHIPUNGU

Chapter ___

ECONOMIC AND SOCIAL DEVELOPMENT NEEDS IN THE MINERAL SECTOR: FLOW OF FINANCIAL RESOURCES, DEVELOPMENT AND TRANSFER OF TECHNOLOGY TO DEVELOP THE MINERAL RESOURCES OF DEVELOPING COUNTRIES AND ECONOMIES IN TRANSITION

(Agenda item 7 (a))

1. The Committee considered item 7 (a) of its agenda at the 1st meeting of its Working Group on Mineral Resources on 28 February 1994. It had before it the report of the Secretary-General on ways and means of facilitating the flow of financial resources and the development and transfer of technology to develop the mineral resources sector of developing countries and economies in transition (E/C.7/1994/7).

2. The report was introduced by a representative of the Department for Development Support and Management Services. He emphasized that developing countries and economies in transition had benefited from an inflow of funding and technical expertise from the international private sector and from multilateral and bilateral aid programmes. He pointed to the need for ensuring the availability of legal/regulatory as well as reliable geo-scientific information. In conclusion, he noted that United Nations Member States had outlined the need to evaluate natural resource projects and provide geo-scientific data; many Member States depended on those activities.

3. Several experts expressed their appreciation for the quality of the report and its clear and concise presentation of the issues, although some experts pointed out that the environmental issue should have been addressed as well.

4. It was observed that the developing countries and the economies in transition suffered from a lack of expertise in overseeing international accounting financial practices and in negotiating with transnational corporations. In addition, the development of case studies on developing countries with United Nations assistance would assist in disseminating information on mining potential. One expert emphasized the need for improving geo-scientific information and database systems.

5. Another comment was made on the critical need for developing countries and economies in transition to prepare a modern legal framework and model agreements for mining. Problems related to budget constraints and the restructuring of economies were outlined. It was further suggested that the Committee needed to seek economic instruments that would ensure reasonable returns for host countries.

6. Several experts mentioned the need to improve process issues, i.e., the streamlining of approvals within government systems and between different levels of government, in order to ensure the efficiency of administration and the timeliness of approvals.

7. The experts were also concerned about the implementation of the principles of sustainable development in the mineral sector. They noted that there was a need to assist developing countries and economies in transition in preparing standardized environmental guidelines in order to ensure that companies worked in accordance with a base criteria.

8. One expert mentioned the issue of political stability as it affected the level of foreign investment and suggested that the generation of popular support for mining activity was one way of mitigating instability.

9. Another expert noted that the United Nations was currently undertaking a restructuring of its economic and social sectors, including its natural resources sector. It was recommended that the United Nations, particularly the Department for Development Support and Management Services, continue its support of mineral sector activities by maintaining the same level of support to the Committee, to the developing countries and to the economies in transition as it had done in the past.

10. The representative of the Economic and Social Commission for Asia and the Pacific also made a statement.

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ADOPTION OF THE REPORT OF THE COMMITTEE ON ITS SECOND SESSION

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Addendum

Rapporteur: Mr. Patrick M. Chipungu

Chapter ___

ECONOMIC AND SOCIAL DEVELOPMENT NEEDS IN THE MINERAL SECTOR: (b) REGIONAL MINERAL RESOURCE ASSESSMENT PROGRAMMES

1. The Committee considered item 7 (b) of its agenda at the 1st meeting of its Working Group on Mineral Resources, on 28 February 1994. It had before it the report of the Secretary-General containing a review of regional mineral resource assessment programmes and resource needs (E/C.7/1994/8).

2. The representative of the Department for Development Support and Management Services introduced the report. He emphasized that resource assessment information, gathered without consideration for the specific policy decisions that might be influenced by the data, might not be used, regardless of the quality of the assessment. That may partially explain why so much of the mineral resource information gathered in developing countries was never used to make any substantive policy decisions. Despite the inherent errors in resource assessment methodologies, planners and policy makers could more effectively establish long-term development strategies for a country by considering estimates of the economic potential of discovered and undiscovered mineral resources.

3. Several members expressed their appreciation for the quality of the report and stressed that minerals were a part of the crust of the Earth, which figured prominently in Agenda 21 in terms of integrated approaches to the planning and

management of land resources. Therefore, lack of significant mention of the mineral sector should not restrain the Committee from making substantial recommendations to the Commission on Sustainable Development.

4. The members noted that the resource assessment information developed and made available on a global basis could provide guidance to States Members of the United Nations and United Nations bodies, as well as to investors, in reorienting policies for improvement of the infrastructure in mining areas, and for improving information for development of that potential. They stressed that this information was an essential part of broader information in support of integrated natural resource management, as recommended in chapter 10 of Agenda 21.

5. In that context, one member expressed the need for characterization of the regions of the Earth's crust so that they could be linked to the potential for discovery of mineral deposit types. The value of identifying promising tracts in various parts of the world for developing a scientific understanding of the global resource potential and for long-term sustainable development was also cited.

6. Another member stated that the Committee should recommend action on the question of substitution/replacement of mineral resources with plastics and other industrial products because the volume of minerals consumed by mankind was rising, and it would be useful for the Committee to monitor that tendency.

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Addendum

Rapporteur: Mr. Patrick M. CHIPUNGU

Chapter ____

LEGISLATIVE AND INSTITUTIONAL ASPECTS
OF WATER RESOURCES MANAGEMENT

1. The Committee considered agenda item 6 at the 2nd meeting of its Working Group on Water Resources, on 1 March 1994. It had before it the report of the Secretary-General on institutional and legal issues in integrated water resources management (E/C.7/1994/6).

2. The representative of the Department for Development Support and Management Services introduced the report, emphasizing that the institutional issues affecting water resources management were wide in scope, and not necessarily limited only to water legislation. While most countries regulated and imposed conditions on the exercise of water rights (effective and beneficial use), there were examples of cases where water rights were issued without conditionalities. There was a trend towards controlling water pollution and protecting environmental values associated with water. As water use and environmental risks intensified, countries tended to implement stricter enforcement provisions. Mechanisms to protect water supplies, such as the creation of protection areas and the control of groundwater, were increasingly common.

3. Countries were trying to develop conflict-solving alternatives, such as mediation and consultation. Many countries included principles on scientific development and technology in their water legislation, covering a wide range of issues such as pollution control, drinking water supply and sanitation.

4. Issues such as marketing of water-related outputs, proper evaluation of subsidies (including the assessment of the environmental impacts of agricultural subsidies for irrigation), and marketing of water rights were of increased importance for water legislation and water-related litigation.

5. Finally, references were made to the trends to vest water resources management in independent organizations, rather than subsectoral agencies; to the concerns about transfer of some water-related services to the private sector (quality assurance, economic and financial viability, metering, and environmental concerns); and to the need for appropriate information.

6. The Chairman and some members asked how many countries had been requested for information on water legislation and institutional arrangements and how many had responded to that request. The questionnaire had been sent to participants attending the first session of the Committee, through local UNDP offices, but not all had responded.

7. It was noted also that the legislative branch was normally responsible for the enactment of water policies and that the introduction of legislation should take into consideration resources as a whole, and not only subsectoral interests, based on constituent pressure. Water policy formulation was a complex interdisciplinary process.

8. The Committee commended the high quality and useful structure of the report. It was suggested that the following additional topics be included in future reports: users' participation; dissemination of information related to legislation; the importance of appropriate institutional arrangements and the problems of fragmented water management; how to reconcile decentralization with systematic and coherent water management; and institutional and legal factors preventing integrated natural resources management. The experiences of several large countries, with strong independent units in water management, should be studied. A number of members felt that the report lacked information on experience in tropical and water-scarce countries of Africa and other regions. Information on arid areas, the relevance of climatic conditions and the need to integrate water and land management would be useful. An earlier report by the former Department of Technical Cooperation for Development on demand management, and the findings and results of the United Nations Conference on Trade and Development and the General Agreement on Tariffs and Trade, could be part of future documentation to be submitted on the subject. It was also noted that a meeting in Mexico on users' participation, which was soon to take place, might be useful to the Committee in this regard.

9. The representative of the Economic Commission for Latin America and the Caribbean (ECLAC) summarized the activities of ECLAC in the area of legislation and institutional arrangements, including reports and workshops, with the support of the United Nations Environment Programme. The representative of the

World Bank suggested that future reports pay special attention to the question of stakeholders' participation.

10. It was proposed that a report on institutional, legal and organizational issues be prepared for the third session of the Committee, including the questions of pricing, stakeholder participation and institutional constraints to overall natural resources management.

11. With regard to inter-sessional activities, the members requested that two strategic and forward-looking policy-oriented documents be prepared by the Committee, under the leadership of Mr. R. W. Roye Rutland for the minerals sector and Ms. Malin Falkenmark for the water sector. These would be short background papers on issues and solutions for the next decade, which would be considered at the third session of the Committee. Inputs by other members were requested.